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January 2, 2002

Renata Hesse, Trial Attorney
Antitrust Division
U.S. Department of Justice
601 D Street N.W., Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

This letter is to address the proposed settlement agreement in *U.S. v. Microsoft*, and to express my support for it as an advocate for children and families, and as an educator and attorney in South Dakota. Microsoft has been a responsible partner for strengthening our nation's economy, as well as for the development of information technologies in our state's effort to wire its public schools and buildings for high-speed internet access.

One of the Bill and Melinda Gates Foundation's many contributions to children and education was a \$670,000 matching grant to our state to foster IT education in our state's school systems. The Microsoft Corporation, I believe, has been a responsive company by delivering software products which make access to information technologies affordable and easier to use for consumers, and that has had a tremendous affect on our nation's economy. If an anti-trust case is designed to protect consumers, I think it's important to note that there has been no consumer harm proven in this case which involved any of Microsoft Corporation's actions.

Microsoft has been a creative and aggressive company in exploring and developing new and better software technologies to empower the American consumer, breaking down the barriers of cost and function for users. As a result, the company is a major factor in our nation's economic strength because it has been so successful meeting and anticipating the needs of American consumers and consumers throughout the world.

I believe the anti-trust case has fully run its course and continuation of it seems to serve no useful purpose to consumers nor to fairness to the IT industry as a whole. I believe the settlement, which has been sought by the Justice Department and nine of the states

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involved in the anti-trust suit is fair and highly beneficial to our nation, to the cause of better education and to our children's futures. Most importantly, the settlement does address the issues, which have been upheld by the courts as being valid.

It is time this case is declared finished. A sensible agreement is at hand which is fair and highly beneficial to everyone, despite the nagging wishes of Microsoft's corporate enemies who want to achieve an unearned advantage by keeping this case active.

Our nation's economy needs to move ahead, and Microsoft and the rest of the technology industry need to move forward and help our nation's economy rebuild. Thank you for your consideration of my views on this case.

Sincerely,



Joni Clark-Cutler